

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

PICTURE PATENTS, LLC

Plaintiff,

V.

AEROPOSTALE, INC., DICK'S SPORTING
GOODS, INC., CHARLOTTE RUSSE, INC.,
GSI COMMERCE SOLUTIONS, INC., GSI
COMMERCE, INC., FOGDOG, INC.,
NATIONAL BASKETBALL ASSOCIATION,
NBA PROPERTIES, INC., NBA MEDIA
VENTURES, LLC, MAJOR LEAGUE
BASEBALL PROPERTIES, INC., MLB
ADVANCED MEDIA, L.P., LINENS 'N
THINGS, INC., TWEETER NEWCO, LLC,
TWEETER OPCO, LLC., BUY.COM, INC.

Defendants.

[illegible]

Case No. 07cv5567 (JGK) (HBP)

JURY TRIAL DEMANDED

ECF CASE

SUGGESTION OF BANKRUPTCY

1. Defendant Linens ‘n Things, Inc. (“Linens”) and twelve affiliated debtors (collectively with Linens, the “Debtors”) filed Voluntary Petitions for relief under chapter 11 of the United States Code, 11 U.S.C. §§ 101 *et seq.* (“Bankruptcy Code”) in the United States Bankruptcy Court for the District of Delaware on May 2, 2008. The bankruptcy cases for the Debtors are being jointly administered under Case No. 08-10832. Pursuant to 11 U.S.C. § 362(a), an automatic stay applicable to all entities is imposed upon the filing of a bankruptcy petition. Among other things, the automatic stay precludes the following:

(1) the commencement or continuation, including the issuance or employment of process of a judicial, administrative, or other action or proceeding against the debtor that was or could have been commenced before the commencement of the case under this title or to recover a claim against the debtor that arose before the commencement of the case under this title

11 U.S.C. § 362(a) (2000). Accordingly, effective May 2, 2008, this and all actions against Linens, the other Debtors and their bankruptcy estates are subject to an automatic stay and are enjoined from proceeding further absent relief from the Bankruptcy Court.

2. Attached hereto as Exhibit A is a copy of the Voluntary Petition filed by Linens.

Dated: May 6, 2008

Respectfully submitted,

COOLEY GODWARD KRONISH LLP

/s/ Nathan K. Cummings

Nathan K. Cummings (admitted *pro hac vice*)

Attorneys for Defendant
LINENS 'N THINGS, INC.

CERTIFICATE OF SERVICE

I, Nathan Cummings, hereby certify that on May 6, 2008, I served a true and correct copy of the foregoing document via the Court's CM/ECF System upon:

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Attorneys for Tweeter Newco LLC and Tweeter Opco, LLC

Dated: Reston, Virginia
May 6, 2008

By: Nathan K. Cummings
Nathan K. Cummings (*admitted pro hac vice*)